

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

In re: PARAQUAT PRODUCTS LIABILITY
LITIGATION

This Document relates to:

MATTHEW COWARD,

Plaintiff,

v.

SYNGENTA CROP PROTECTION, LLC;
SYNGENTA AG;
CHEVRON U.S.A., INC.,

Defendants.

Case No. 3:21-pq-01560-NJR

MDL No. 3004

DOCKETING STATEMENT OF PLAINTIFF MATTHEW COWARD

Plaintiff Matthew Coward submits this Docketing Statement in accordance with Seventh Circuit Rule 3(c)(1).

STATEMENT CONCERNING DISTRICT COURT’S JURISDICTION

The United States District Court for the Southern District of Illinois exercised subject matter jurisdiction over this case in accordance with 28 U.S.C. § 1332. There is complete diversity of citizenship as set forth below:

1. Plaintiff Matthew Coward is a citizen of Florida.
2. Defendant Syngenta AG (“SAG”) is a corporation organized under the laws of Switzerland with its principal place of business in Switzerland. It is therefore a citizen of Switzerland.
3. Defendant Syngenta Crop Protection, LLC (“SCP”) is a Delaware limited liability company. SCP’s sole member is Syngenta Seeds, LLC. The sole member of Syngenta Seeds, LLC

is Syngenta Corporation, a Delaware corporation with its principal place of business in Delaware. SCP is therefore a citizen of Delaware.

4. Defendant Chevron U.S.A., Inc. (“Chevron”) is a Pennsylvania corporation with its principal place of business in California. It is therefore a citizen of Pennsylvania and California.

5. The amount in controversy exceeds \$75,000, exclusive of interests and costs.

STATEMENT CONCERNING APPELLATE JURISDICTION

6. The United States Court of Appeals for the Seventh Circuit has jurisdiction over this appeal in accordance with 28 U.S.C. §§ 1291 and 1294(1).

7. Plaintiff’s case is part of a multi-district litigation proceeding involving thousands of other cases. *In re: Paraquat Products Liability Litigation*, Case No. 3:21-md-3004-NJR (S.D. Ill.) (“MDL”). It was one of four cases selected to serve as the MDL’s first set of trial selection cases after completing fact and expert discovery. The other three trial selection cases were *Richter v. Syngenta AG, et al.*, No. 3:21-pq-571-NJR; *Fuller v. Syngenta AG, et al.*, No. 3:21-pq-836-NJR; and *Burgener v. Syngenta AG, et al.*, No. 3:21-pq-1218-NJR.

8. On April 17, 2024, the district court issued a Memorandum and Order excluding Plaintiff’s sole expert on general causation. MDL ECF No. 5237.

9. On April 17, 2024, based on its exclusion of Plaintiff’s causation expert, the district court granted Defendants’ joint motion for summary judgment and dismissed with prejudice all four trial selection cases, including Plaintiff’s case. MDL ECF No. 5238.

10. On April 17, 2024, the district court entered Judgment in a Civil Action disposing of all of Plaintiff’s claims with prejudice. *Coward v. Syngenta AG, et al.*, No. 3:21-pq-1560-NJR, ECF No. 21.

11. Plaintiff timely filed his Notice of Appeal on May 16, 2024.

12. Plaintiffs in the three other trial selection cases also timely filed their respective Notices of Appeal on May 16, 2024.

13. Because plaintiffs in all four trial selection cases will be represented by the same counsel of record on appeal, and their appeals raise the same issues, Plaintiff respectfully requests that the Seventh Circuit consolidate the appeals from *Richter v. Syngenta AG, et al.*, No. 3:21-pq-571-NJR; *Fuller v. Syngenta AG, et al.*, No. 3:21-pq-836-NJR; *Burgener v. Syngenta AG, et al.*, No. 3:21-pq-1218-NJR; and *Coward v. Syngenta AG, et al.*, No. 3:21-pq-1560-NJR.

14. There have been no prior related appellate proceedings in this case.

15. None of the parties to this litigation appears in an official capacity.

16. The case does not involve criminal convictions or 28 U.S.C. § 1915(g).

DATED: May 16, 2024

Respectfully submitted,

/s/ LaRuby May

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CERTIFICATE OF SERVICE

I, LaRuby May, hereby certify that on May 16, 2024, I electronically filed the foregoing with the Clerk of the United States District Court for the Southern District of Illinois using the Court's CM/ECF Filing System, which will send electronic notification of such filing to counsel of record.

/s/ LaRuby May

LaRuby May